

Filed 4/25/17 by Clerk of Supreme Court
IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2017 ND 89

State of North Dakota,

Plaintiff and Appellee

v.

Adam Lee Schnellbach,

Defendant and Appellant

No. 20160342

Appeal from the District Court of Walsh County, Northeast Judicial District,
the Honorable M. Richard Geiger, Judge.

AFFIRMED.

Per Curiam.

Barbara L. Whelan, State's Attorney, Walsh County Courthouse, 600 Cooper
Avenue, Third Floor, Grafton, N.D. 58237, for plaintiff and appellee; submitted on
brief.

Stuart J. Askew, P.O. Box 386, Cavalier, N.D. 58220, for defendant and
appellant; submitted on brief.

State v. Schnellbach

No. 20160342

Per Curiam.

[¶1] Adam Schnellbach appeals a criminal judgment imposing a sentence of 60 years, to serve 22, after he entered an Alford plea for two counts of gross sexual imposition and one count of promoting sexual performance by a minor. Schnellbach argues the district court erred in its conclusions relating to the sentencing factors under N.D.C.C. § 12.1-32-04. His sentence was within the statutory guidelines, and his arguments on appeal do not show that the court relied upon an impermissible factor. State v. Gonzalez, 2011 ND 143, ¶ 11, 799 N.W.2d 402 (reviewing sentencing decision only to ensure it is within range authorized by statute and does not substantially rely on an impermissible factor). We summarily affirm under N.D.R.App.P. 35.1(a)(7).

[¶2] Gerald W. VandeWalle, C.J.
Jerod E. Tufte
Daniel J. Crothers
Lisa Fair McEvers
Carol Ronning Kapsner